

CHAPTER NO. 333

SENATE BILL NO. 210

By Davis, Miller, Burks, Crowe

Substituted for: House Bill No. 211

By Ferguson, Maddox, Fitzhugh, Walker, Stulce

AN ACT To amend Tennessee Code Annotated, Title 62, Chapter 38, relative to body piercing.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 38, is amended by adding the following as a new part thereto:

Section _____. As used in this part, unless the context otherwise requires, "body piercing" means the creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration. "Body piercing" does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear;

Section _____.

(a) A minor seventeen (17) years of age or younger may undergo body piercing with the written consent of such minor's parent or legal guardian. Such parent or legal guardian must be present at the business during the procedure. When providing written consent such parent or guardian shall produce photo-bearing identification and attest in writing that such individual is the minor's parent or guardian.

(b) Records shall be entered in ink and shall be made available to the local health department upon request, at a reasonable time, for examination.

(c) Clients receiving body piercing shall attest to the fact that they are not under the influence of drugs or alcohol.

(d) Printed instructions on the care of skin shall be given to each client after body piercing and a copy of such instructions shall be posted in a conspicuous place in the body piercing studio.

(e) Except as provided in subsection (a), it is a Class C misdemeanor to body pierce a person under eighteen (18) years of age.

(f) It is not a defense to a criminal prosecution of the offense created by subsection (e) that at the time of the offense the minor possessed a letter of consent from such minor's parent or legal guardian if such letter was forged as defined in TCA 39-14-114(b)(1)(A)(i).

(g) It is a Class B misdemeanor to falsely claim to be the parent or guardian of a minor for the purpose of obtaining a body piercing procedure for a minor.

SECTION 2. Nothing in this act creates any liability, criminal or otherwise, for a minor who has his or her body pierced.

SECTION 3. This act shall take effect July 1, 1999, the public welfare requiring it.

PASSED: May 27, 1999


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of June 1999


DON SUNDQUIST, GOVERNOR